

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TEXARKANA DIVISION**

STEVEN DAMIEN YOUNG,

Plaintiff,

v.

BALDEN POLK, ET AL.,

Defendants.

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CIVIL ACTION NO. 5:20-CV-00087-RWS

ORDER

Plaintiff Steven Young, proceeding *pro se*, filed the above-styled and numbered civil action complaining of alleged violations of his constitutional rights. The case was referred to the United States Magistrate Judge.

Plaintiff filed a motion for temporary restraining order or preliminary injunction asking that prison officials be restraining from housing him in general population pending the outcome of this lawsuit. After review of the pleadings, the Magistrate Judge issued a Report recommending the motion for injunctive relief be denied. Docket No. 23. Plaintiff received a copy of this Report on February 2, 2021, but filed no objections. He is therefore barred from *de novo* review by the District Judge of those findings, conclusions, and recommendations and, except upon grounds of plain error, from appellate review of the unobjected-to factual findings and legal conclusions accepted and adopted by the District Court. *Duarte v. City of Lewisville, Texas*, 858 F.3d 348, 352 (5th Cir. 2017).


Nonetheless, the Court has reviewed the pleadings in this cause and the Report of the Magistrate Judge. Upon such review, the Court has determined the Report of the Magistrate Judge

is correct. *See United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir.), *cert. denied*, 492 U.S. 918, 109 S.Ct. 3243 (1989) (where no objections to a Magistrate Judge's Report are filed, the standard of review is "clearly erroneous, abuse of discretion and contrary to law."). It is accordingly

ORDERED that the Report of the Magistrate Judge (Docket No. 23) is **ADOPTED** as the opinion of the District Court. It is further

ORDERED that the Plaintiff's motion for a temporary restraining order or preliminary injunction (Docket No. 6) is **DENIED**.

So ORDERED and SIGNED this 5th day of March, 2021.


ROBERT W. SCHROEDER III
UNITED STATES DISTRICT JUDGE